

ALLEGED SHIPMENT: On or about July 26, 1946, by the Goodwin Preserving Co., from Louisville, Ky.

PRODUCT: 406 cases, each containing 24 14-ounce jars, of apple butter at New York, N. Y.

LABEL, IN PART: "Goodwin's Best Extra Fancy Pure Apple Butter, Prepared From Evaporated Apples, Sugar, Apple Cider and Spices."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing dried pear had been substituted in whole or in part for apple butter.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard for apple butter prepared from evaporated apples since it contained added dried pear, which is not permitted in the definition and standard as an ingredient.

DISPOSITION: December 16, 1946. Wallace, Burton & Davis Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled under the supervision of the Food and Drug Administration.

11787. Misbranding of apple butter. U. S. v. 150 Cases * * *. (F. D. C. No. 21218. Sample No. 42064-H.)

LIBEL FILED: October 2, 1946, District of Columbia.

ALLEGED SHIPMENT: On or about July 24, 1946, by Adams Apple Products Corp., from Aspers, Pa.

PRODUCT: 150 cases, each containing 6 7-pound, 8-ounce cans, of apple butter at Washington, D. C.

LABEL, IN PART: "Adams Maid Brand Apple Butter."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for apple butter since the soluble solids content of the article was less than 43 percent, the minimum prescribed in the definition and standard.

DISPOSITION: November 20, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution.

11788. Adulteration of canned applesauce. U. S. v. 55 Cases * * *. (F. D. C. No. 21386. Sample No. 53520-H.)

LIBEL FILED: October 29, 1946, Middle District of Tennessee.

ALLEGED SHIPMENT: On or about August 24, 1946, by the Craddock Canning & Preserve Co., from Paducah, Ky.

PRODUCT: 55 cases, each containing 6 6-pound, 8-ounce cans, of applesauce at Nashville, Tenn.

LABEL, IN PART: "Tip-Top Brand Apple Sauce."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of mold.

DISPOSITION: April 29, 1947. No claimant having appeared, judgment was entered ordering the destruction of the product.

VEGETABLES

11789. Misbranding of canned mushrooms. U. S. v. J. B. Swayne & Son, Inc., and J. Bancroft Swayne, Jr. Pleas of nolo contendere. Corporation fined \$1,000; individual fined \$100. (F. D. C. No. 21455. Sample Nos. 3721-H, 63378-H, 70514-H, 70517-H.)

INFORMATION FILED: January 16, 1947, Eastern District of Pennsylvania, against J. B. Swayne & Son, Inc., Kennett Square, Pa., and J. Bancroft Swayne, Jr., vice president and treasurer.

ALLEGED SHIPMENT: On or about January 15 and May 4 and 13, 1946, from the State of Pennsylvania into the States of Maryland, New Jersey, and California.

LABEL, IN PART: (Cans) "Mushrooms Fancy Buttons Quaker State Brand * * * Drained Net Weight 8 Ozs.," or "Mushrooms Whole Quaker State Brand * * * Drained Net Weight 1 Lb."; (portion of cans) "Fancy Buttons * * * Mushrooms."